

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

BENJAMIN HANSEN,

Plaintiff,

V.

ALAMO MOBILE X-RAY & EKG
SERVICES, INC.,

Defendant.

)
)
)
)
)
)
)
)
)
)

CIVIL ACTION NO. SA-14-CA-1070-FB

ORDER DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Before the Court are Defendant's Motion for Summary Judgment (docket no. 20) and related filings. (Docket nos. 21, 22, 23, 25, 26, & 27). Construing all of the evidence in favor of plaintiff, the non-moving party, the Court finds sufficient evidence to establish genuine issues of material fact on plaintiff's Uniformed Services Employment and Reemployment Rights Act cause of action such that defendant is not entitled to judgment as a matter of law. Fed. R. Civ. P. 56(e); *see also Tolan v. Cotton*, 134 S. Ct. 1861, 1866 (2014) (noting that courts when ruling on motion for summary judgment must view evidence in light most favorable to opposing party and all justifiable inferences are to be drawn in non-movant's favor).

IT IS THEREFORE ORDERED that Defendant's Motion for Summary Judgment (docket no. 20) is DENIED.

It is so ORDERED.

SIGNED this 12th day of April, 2016.



FRED BIERY
UNITED STATES DISTRICT JUDGE